

REMARKS

Claims 6-8, 11-16 and 20-23 are pending in the application. Claims 12, 14 and 21 have been amended. Applicants acknowledge the allowance of claim 22.

Rejection under 35 U.S.C. 112, second paragraph

Claims 6-8, 11-16, 20, 21 and 23 stand rejected as allegedly being indefinite. Each of the specific points raised by the Examiner is addressed as follows:

- a) The Examiner notes that in claim 11, line 1 there should be a space between the words "R⁴" and "is". Applicants note that this typographical error occurs in claim 12, rather than claim 11, and have amended claim 12 accordingly.
- b) The Examiner notes that in claim 14 the phrase "selected from R^b" occurs twice. Claim 14 has been amended to remove the duplicate phrase.
- c) The Examiner notes that in claim 21 there is inconsistency in using superscript/subscript in designating the various R groups. The structural formula Ia has been amended so that the numbers associated with "R" are now in superscript.
- d) The Examiner alleges that in claim 21 (and in claim 15) the notations -C-, -C-C- and -C=C- show the carbon atoms as either divalent or trivalent. Applicants respectfully disagree. These notations are intended to show that the variables "B" and "Z" may represent one or two ring carbon atoms, and the two carbon atoms may be linked by a single or a double bond; they do not suggest that the carbon atoms depart from their normal valency, and a person skilled in the art of organic chemistry would not read them as such.
- e) The Examiner alleges that claim 23 is not properly subgeneric to claim 21 because claim 21 requires the phenyl group of R¹ to have a 3-substituent, and some compounds in claim 23 do not meet this limitation. Applicants respectfully disagree. The 3-position on the phenyl ring is also known as the *meta*-position; thus, the 2,5-dichlorobenzenesulfonyl cited by the Examiner as lacking a 3-substituent in fact does have such a substituent, *viz.* the 5-chloro group, which is in the *meta*-position relative to the sulfonyl group. The "2,5-dichlorobenzenesulfonyl" is equivalent to "3,6-dichlorobenzenesulfonyl"; the former is used because it conforms to standard chemical nomenclature practice.

Applicants respectfully submit that the above amendments and remarks overcome the rejection under 35 U.S.C. 112, second paragraph, and request that it be withdrawn.

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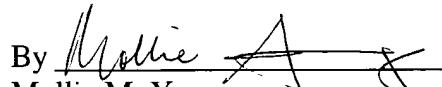
Rejection under 35 U.S.C. 102(e)

Claims 6-8, 11, 12, 14-16 and 20 stand rejected as allegedly being anticipated by Thorsett (USP 6,489,300). Applicants respectfully traverse.

The earliest filing date of Thorsett is July 31, 1997. Even if, arguendo, the disclosure of Thorsett is entitled to that date, it is still later than the effective filing date to which the pending claims in the instant application are entitled, i.e., May 29, 1997. Applicants respectfully submit that Thorsett is not a proper 102(e) reference, and the rejection based thereon should be withdrawn.

In view of the amendments and remarks presented above Applicants believe the application is in condition for allowance. An early favorable action is respectfully urged.

Respectfully submitted,

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